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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,954	06/14/2001	Yoshinori Nakayama	500.35669CC2	6536

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,954

Applicant(s)

NAKAYAMA ET AL.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/14/01; 2/15/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on June 14, 2001, which paper has been placed of record in the file.
2. Claims 6-10 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirotaka, Japanese Patent No. 8106439 in view of Computer Product Update Journal, and further in view of Hotaling et al (hereinafter Hotaling), U.S. Patent No. 5,124,912.

Regarding to claim 6, Hirotaka discloses a scheduling management system, comprising:

a schedule server which stores schedules of participants and schedules of equipments reserved by ones of said participants (the portable information terminal includes an external schedule access means 8, a schedule response means 9, and a free time retrieval means 10); and

a plurality of remote client devices operatively connected to said schedule server, which allow client users to input schedules of said participants and request an idle time retrieval from said schedule server, and continuously request the idle

time retrieval with a new retrieval condition, which is a previous idle time retrieval result (the external computers connected to the portable information terminal through a communication means 4, the portable information terminal is provided with the external schedule access means 8 which inquires a schedule from an external computer; the schedule response means 9 which sends back schedule information according to the inquiry about the schedule from the external computer, the operation is repeated to retrieve the common free time by the free time retrieve means 10 by using the gather schedule data on the other persons).

Hiroataka does not teach dividing each of schedules registered for a plurality of participants and a plurality of equipments into a plurality of different groups and retrieving common idle time based on a plurality of groups. However, Computer Product Update teaches dividing each of schedules registered for a plurality of participants and a plurality of equipments into a plurality of groups and retrieving common idle time based on a plurality of groups (CA-UpToDate is a Windows-based scheduling package for groups of workers... Users can be grouped together and their calendars collectively searched to retrieve free time for the groups). Hotaling teaches grouping the participant based the degree of significance and retrieving common idle time based on a plurality of groups (column 5, lines 19-35, critical and non-critical participants). Moreover, it is obvious that the process of retrieving an idle time common from one group as a retrieval condition for retrieving an idle time common for another group of plurality of groups will work the same as retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people, because one group may contain only one person. Therefore, it would have been obvious to improve the method of Hiroataka by combining the feature taught by Computer Product Update and Hotaling above for the purpose of time consuming,

because the participants with the same degree of significant are grouped together to retrieve the common free time for the group, thus the process does not need to repeat many times for the participants having the same degree of significant.

Regarding to claim 7, Hirotaka further discloses wherein said schedule server comprises a communication controller which provides registration for participants, and wherein said idle time is retrieved so that at least one of participants and equipments satisfies a retrieval condition for retrieving said idle time (the portable information terminal is provided with the external schedule access means 8 which inquires a schedule from an external computer through a communication manes 4). Hirotaka does not teach dividing each of schedules registered for a plurality of participants and a plurality of equipments into a plurality of different groups (see claim 6 for details).

Regarding to claim 8, Hirotaka further discloses wherein said schedule server comprises a data access unit which accesses selected databases in accordance with instructions for retrieving the idle item common from said plurality of participants (the portable information terminal includes the external schedule access means 8 which inquires a schedule from an external computer, the schedule response means 9 sends back schedule information stored in a storage means 2). Hirotaka does not teach dividing each of schedules registered for a plurality of participants and a plurality of equipments into a plurality of different groups (see claim 6 for details).

Regarding to claim 9, Hirotaka further discloses a multistageous idle-time retrieving method comprising the steps of: comparing a first retrieval condition specifying a time zone with schedules of respective members to extract idle-times of the respective members; determining whether there is any idle-time common to the extracted idle-times of the respective members; if there is any common idle-time in the determining step, extracting the common idle-time as a second retrieval condition;

comparing the second retrieval condition with schedules of respective members having a significant degree lower than the significant degree of the first members to extract idle-times of the respective members belonging to the second group; extracting idle-time common to the extracted idle-times of the respective members and setting the common idle-time as a third retrieval condition (the external computers connected to the portable information terminal through a communication means 4, the portable information terminal is provided with the external schedule access means 8 which inquires a schedule from an external computer; the schedule response means 9 which sends back schedule information according to the inquiry about the schedule from the external computer, the operation is repeated to retrieve the common free time by the free time retrieve means 10 by using the gather schedule data on the other persons).

Hirota does not disclose classifying a plurality of members into a plurality of groups according to a significance degree. However, Computer Product Update teaches dividing each of schedules registered for a plurality of participants and a plurality of equipments into a plurality of groups and retrieving common idle time based on a plurality of groups (CA-UpToDate is a Windows-based scheduling package for groups of workers... Users can be grouped together and their calendars collectively searched to retrieve free time for the groups). Hotelling teaches grouping the participant based the degree of significance and retrieving common idle time based on a plurality of groups (column 5, lines 19-35, critical and non-critical participants). Moreover, it is obvious that the process of retrieving an idle time common from one group as a retrieval condition for retrieving an idle time common for another group of plurality of groups will work the same as retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people, because one group may contain only one person. Therefore, it would have been obvious to improve

the method of Hirotaka by combining the feature taught by Computer Product Update and Hotaling above for the purpose of time consuming, because the participants with the same degree of significant are grouped together to retrieve the common free time for the group, thus the process does not need to repeat many times for the participants having the same degree of significant.

Hirotaka does not disclose displaying the third retrieval condition on a display apparatus. However, Hotaling teaches displaying the third retrieval condition on a display apparatus (providing a visual display of said idle-time retrieval result at selected ones of said terminal apparatuses column 9, lines 25-45). Therefore, it would have been obvious to improve the method of Hirotaka by combining the feature taught by Hotaling above for the purpose of providing more convenient for the user to view the retrieval result information.

Claim 10 is written in means that parallel the limitations found in claim 9 above, therefore, is rejected by the same rationale.

Conclusion

5. Claims **6-10** are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231


Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).


NGA NGUYEN
PRIMARY EXAMINER

March 1, 2006